

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

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In re: : Chapter 11
: :
CIRCUIT CITY STORES, INC., et al. : Case No.: 08-35653 (KRH)
: :
Debtors. : (Jointly Administered)
: :
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**CERTIFICATION OF EPSILON DATA MANAGEMENT, LLC
PURSUANT TO ORDER (I) APPROVING SALE OF INTELLECTUAL PROPERTY,
INTERNET-RELATED PROPERTY AND CUSTOMER INFORMATION
FREE AND CLEAR OF ALL INTERESTS; AND (II) GRANTING RELATED RELIEF**

Pierre Charchaflian, pursuant to 28 U.S.C. §1746, hereby declares:

1. I am a Vice President and General Manager with Epsilon Data Management, LLC. ("Epsilon") and I am submitting this declaration (the "Declaration") on behalf of Epsilon. I managed the Epsilon personnel who performed the processes and made the conclusion of facts hereinafter set forth.

2. I have been advised by Systemax Inc. (the "Purchaser") that an email notification program (the "Opt Out Process") was required by the Order (I) Approving Sale of Intellectual Property, Internet-Related Property and Customer Information Free and Clear of All Interests; and (II) Granting Related Relief dated May 15, 2009 (the "Sale Order") before the Purchaser could take possession of certain data. The Purchaser retained Epsilon to conduct the Opt Out Process.

3. On behalf of Epsilon, I hereby certify that:

- (a) On May 19, 2009, certain data known as the Circuit City Data and the Alpine Data was delivered by Circuit City Stores West Coast, Inc., and Circuit City Stores, Inc. to Epsilon to conduct the Opt Out Process.

- (b) From May 22, 2009 through May 25, 2009 Epsilon emailed notices to 14,446,554 email addresses (the "Consumers") informing the Consumers that there has been a change in corporate ownership and management of the website located at <http://www.circuitcity.com> (the "Website"). That email provided Consumers with the ability to opt out of the transfer of their personally identifiable information ("PII") to the Purchaser.
- (c) The fourteen (14) day period during which Consumers could opt out of the transfer of their PII to the Purchaser concluded on June 9, 2009.
- (d) 43,037 Consumers responded to the email notice and opted out from receiving future email communications from the Purchaser. 3,103 Consumers visited the Website and opted out from receiving future email communications from the Purchaser.
- (e) Epsilon has deleted the data records of the 46,140 Consumers that elected not to have their PII transferred to the Purchaser.
- (f) Epsilon transferred the Circuit City Data and the Alpine Data, absent information of Consumers who elected not to have their PII transferred to the Purchaser, on June 9, 2009.

* * * *

I declare under penalty of perjury under that the foregoing is true and correct to the best of my knowledge.

Executed on June 10, 2009



Name: Pierre Charchanian

Title: Vice President & General Manager